

CITY OF NEWPORT BEACH ZONING ADMINISTRATOR AGENDA

Newport Beach City Hall, Council Chambers
3300 Newport Boulevard
Wednesday, February 15, 2012 – 3:30 p.m.

Brenda Wisneski, Zoning Administrator

Staff Member:

Erin M. Steffen, Planning Technician
Makana Nova, Assistant Planner

A) CALL MEETING TO ORDER

B) MINUTES OF JANUARY 11, 2012

C) PUBLIC HEARING ITEMS

Item No. 1.	The Cannery Generator - Minor Use Permit No. UP2011-035 (PA2011-218) 3010 Lafayette Road Council District 1
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Summary: A Minor Use Permit to allow for the installation of a standby emergency electrical generator at an existing restaurant. The property is located in the MU-W2 (Mixed-Use Water Related) District.

Recommended
Action:

- 1) Conduct public hearing; and
- 2) Approve Minor Use Permit No. UP2011-035 (PA2011-218) subject to the recommended findings and conditions.

CEQA

Compliance: The project is exempt from environmental review pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures) of the Implementing Guidelines of the California Environmental Quality Act.

Item No. 2.	Sambazon Minor Use Permit - Minor Use Permit No. UP2012-001 (PA2012-004) 3138 Balboa Boulevard Council District 1
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Summary: A minor use permit to allow, Sambazon Acai Café, an eating and drinking establishment (food service, no late hours) serving health juices, smoothies, and healthy snacks. The requested hours of operation are from 7:00 a.m. to 11:00 p.m., daily. Alcohol service is not proposed as part of the business operation. The property is located in the CN (Commercial Neighborhood) District.

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least seventy-two (72) hours in advance of each regular hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Approve Minor Use Permit No. UP2012-001 (PA2012-004) subject to the recommended findings and conditions.

CEQA

Compliance: The project is categorically exempt under Section 15303, of the California Environmental Quality Act (CEQA) Guidelines - Class 3 (New Construction or Conversion of Small Structures).

D) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

E) ADJOURNMENT

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Division located at 3300 Newport Boulevard, during normal business hours.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.